

SEES RECALL IN FIGHT ON JURIST

Mr. Taft Displeased with Crusade Against Judge Hook, but Will Not Discuss Case.

TO DECIDE NEXT WEEK

President Believes Public Misapprehension Exists as to Western Jurist's Decision.

HERALD BUREAU, No. 1502 H STREET, N. W., Washington, D. C., Friday.

To President Taft the many protests from Western States and cities against the appointment of Judge W. C. Hook, of the United States Eighth Circuit Court, smacked strongly of judicial recall, to which he is firmly opposed.

President Taft has not decided to appoint Judge Hook. He had not decided to do so before the railway commissions of various States began to protest that his decision adverse to certain two-cent fare regulation in Oklahoma rendered his appointment unfair to the public in various States. The President will not appoint Judge Hook to demonstrate his disapproval of the protests against him. If Judge Hook is named it will be because the President deems him the best man.

The President does not like to discuss the protests that have been registered against Judge Hook, for he does not believe that unless a Judge has rendered an unworthy decision the question of his appointment should be considered a fit subject of such an agitation as has been carried on.

It was made evident at the White House to-day that much public misapprehension exists as to the decisions made by Judge Hook. It was pointed out that during the controversy Judge Hook had been lost of the cases he had decided against railroads.

President Taft will send the nomination of the successor of Judge Harlan to Congress next week.

BANDITS ROB MAIL TRAIN AT LEISURE

Bind and Gag Clerks—Distribute Sacks at Regular Stations to Unsuspecting Agents.

[SPECIAL DESPATCH TO THE HERALD.]

REDDING, Cal., Friday.—After three mail clerks had been bound and gagged two unmasked men went through the mail car of the Oregon Express, on the Southern Pacific Railroad, to-day while it was between Red Bluff and Redding and rifled all of the Eastern registered mail packages. For thirty-five miles they worked over their task of examining the letters and removing money and valuables, and at each station stop received and threw out agents.

When men showed familiarity with the routine. The train which left San Francisco at twenty minutes after eight o'clock last night reached Red Bluff early this morning. While the door of the mail car stood open the two men sauntered in and closed the door.

"What's up?" exclaimed Charles J. Rhein, a clerk.

"This is a hold-up," replied one of the men, covering the three clerks with revolvers. Rhein, Robert B. Warner and their assistants were bound and gagged.

When the train reached Redding at twenty minutes to seven o'clock the bandits opened the door and walked slowly away in opposite directions. No trace of them has been found.

George Westlake, local clerk, was surprised that no one was on hand to receive the mail, investigated and found the clerks under the rifled sacks.

GETS \$10,000 IN GEMS, LEAVES \$50,000 WORTH

Thief Missed the Richer of Two Jewel Cases in Home of George S. Graham.

Shrouded in mystery is the theft of a casket containing jewelry valued at more than \$10,000 which was taken last Saturday night from No. 35 West Fifty-second street, the home of George S. Graham, one time District Attorney of Philadelphia and now practicing law in this city.

In carrying off this casket the thief overlooked another casket in which were diamonds and other gems valued at \$50,000.

The two caskets had been placed side by side on a dressing table in a room on the third floor in the rear of the house by Mrs. Graham when she returned from the city. Not until the next morning was the theft discovered. A window of the room was found open, and the police and private detectives believe a burglar may have lowered himself from the roof by means of a rope.

WOMAN SUFFOCATED.

Bed Catches Fire and She Dies Before Discovered.

Mrs. Daniel Shields, twenty-five years old, was found suffocated to death in the furnished room occupied by her husband and herself on the top floor of No. 210 East 118th street, yesterday. The woman and her husband had taken the room Thursday. Morris Adler, the landlord, as he passed the room occupied by Mrs. Shields, smelled smoke and broke in the door. He found the bed in flames.

Mr. Adler's cries attracted the attention of Fireman Harry Mapp, of Engine Company 35, which was returning from a false alarm. The flames were quickly extinguished, and Dr. Pratt, called from the Harlem Hospital, said the woman was dead.

James B. Connolly Drawn for Jury.

Boston, Mass., Friday.—James B. Connolly, writer of sea stories, was drawn as a jurymen for the United States District Court to-day, and may have to consider a real marine tragedy. William De Graff, a hunchbacked convict defendant in one case, is charged with the murder of Charles D. Wyman, master of the coal barge Glen-dower.

No War, Says Mr. Vail.

Theodore N. Vail, president of the Western Union Telegraph Company, denied yesterday reports that have been circulated recently that the company was engaged in a telegraph and cable war. Mr. Vail said that while innovations had been introduced in both the telegraph and cable service, the talk of a telegraph or cable war was absurd.

Julian Hawthorne, Writer, and Josiah Quincy, Twice Mayor of Boston, Indicted on Swindling Charge

They Are Arraigned in Federal Court for Alleged Fraudulent Use of Mails.

HELD AS PROMOTERS IN MINE STOCK GAME

Albert Freeman, One of Quintet in Continental Syndicate, Ltd., Required to Give \$25,000 Bail.

OTHERS GIVE \$10,000 BONDS

Plead Not Guilty with Leave to Change Pleas—Millions Involved in Alleged Operations.

Julian Hawthorne, son of Nathaniel Hawthorne, one of America's most famous men of letters, himself a noted author and journalist, and Josiah Quincy, twice Mayor of Boston, First Assistant Secretary of State for six months under the Cleveland administration and a member of the Boston Transit Commission, with three others yesterday pleaded to indictments found by the Federal Grand Jury. They appeared before Judge Hough in the United States District Court. The indictments charge use of the mails in schemes to defraud.

Between two and three millions was the estimate given in court by Claude A. Thompson, assistant United States District Attorney in charge of the case, as the amount involved in the alleged frauds covered by the indictments. The other three men indicted with the author and Mr. Quincy are Albert Freeman, who had offices at No. 24 Fifth avenue and who has promoted mining stocks for many years; Dr. William J. Morton, the nerve specialist, of No. 19 East Twenty-eighth street, and John McKinnon, secretary and treasurer of several mining companies.

On behalf of all the men Francis L. Wellman, of Wellman, Goodrich and Smith, entered pleas of not guilty. Leave to change the pleas of the defendants before Wednesday next was granted by the judge. Bail was fixed in the case of Mr. Freeman at \$25,000, and for each of the other at \$10,000. The bonds were furnished in each case before United States Commissioner John A. Shields.

The investigation leading to the arrest was made by Warren W. Dickson, chief



ALBERT FREEMAN, JOHN MCKINNON.

JULIAN HAWTHORNE.

of the Post Office inspectors in New York. He was assisted by T. M. Reddy, Elmer L. Kincaid and E. B. Mayhew, inspectors.

Five Indictments Found.

The five indictments which the Grand Jury found contain 153 pages of typewritten matter. The indictments give the details of the alleged schemes of the promoters and furnish instances of investors approached. In general scope the five indictments are the same. They differ as to the companies with which the men are alleged to have worked and in the location of the properties which the prospectuses described.

Four of the indictments contain four counts each, and the fifth contains eleven counts. All five name the same five individuals, while three of them name in addition the Continental Syndicate, Ltd., and two of them the Julian Hawthorne Company.

The Continental Syndicate was organized several years ago and was ostensibly the fiscal agent of several mining promotions. The Julian Hawthorne Company

was a more recent formation, and it was also the fiscal agent of a mining promotion. The Continental Syndicate handled stock of the Temagami-Cobalt Mines, Ltd.; the Eliakke-Cobalt Mines, Ltd., and the Montreal-James Mines, Ltd., while the Julian Hawthorne Company sold stock in the Hawthorne Silver and Iron Mines, Ltd. In several of these companies Julian Hawthorne was at one time president, and the indictments allege most of the literature which went through the mails urging the purchase of stock, and painting the glowing features of the prospectus was represented as from his pen. Much of the advertising matter is written in the following style.

In many ways the methods followed differed from the usual stock promoting schemes. Catalogues of universities and alumni association rosters were used to furnish names for mailing lists, and many of the letters sent out were written as if personal ones. The capital stock in the mining companies was large, Hawthorne Silver and Iron Mines being capitalized at \$15,000,000, Temagami-Cobalt at \$3,000,000, Eliakke-Cobalt Mines at \$1,000,000, and Montreal-James at \$1,000,000.

In urging the purchase of stock the indictments charge that misrepresentations were made as to the value of the properties controlled by the companies and as to the state of development they had reached. In the case of Montreal-James Mines it was represented, the indictment says, that no broker, agent, officer of the company or promoter was getting any of the money subscribed for the stock and that the money would be used in the development of properties of the company.

Another charge made is that the name of Hawthorne was used to cause persons whom it was intended to defraud to have an unwarranted belief in the truth of false representations.

Other charges were used besides, the family name of the writer to inspire confidence, it is charged, in urging the value of the Temagami-Cobalt properties the indictment says that it was falsely represented that the Eliakke and Banks, the well known mining experts and assessors, made a determined effort to obtain control of the mining properties of the company after they had examined samples of ore.

It is also asserted that it was falsely represented that members of the firm of Tiffany & Co., the jewellers, had offered to pay large sums of money to obtain a three-fifths interest in the company's properties and to advance all the money needed in the development and operation of the properties. Isaac Elwood, the associate of John W. Gates, was represented as owning a shipping mine a mile from the Temagami-Cobalt properties, the indictment says.

Charges in Hawthorne Case.

In the case of the Hawthorne Silver and Iron Mines, the indictment charges that it was falsely represented that Julian Hawthorne had personally measured up an ore body on one of the properties of the company, representing a value of \$10,000,000. Other representations made with regard to this company, which the indictment charges were false, were that Julian Hawthorne was receiving no salary for his services, that he had invested all his money in it.

At different times booklets written by Julian Hawthorne appeared, in which the mining game in general was boomed. The "Secret of Solomon" was one of these and "Here is a twelve page document on the 'Secret of Solomon'." Another letter copied in the indictment, which was purported to have been written by Julian Hawthorne, throws light on the methods by which investors were induced to part with their money.

The letter was sent to D. H. Hunt, New Haven, Conn. It says, in part:—"Dear Sir,

"Now that you have read the little 'Solomon' story—which you have done since you are reading this—you naturally want to know what is the object of it all."

"I wrote the Solomon booklets in order that we might make each other's acquaintance, and what I have now to tell you will more than reward you for any attention you bestowed on them."

"Here is a twelve page document on the composition of which—to render it as concise and explicit as possible—I have worked more than a month. Unlike the booklets it is not in the least imaginative nor is it designed to amuse you. It is straight business all through."

"Not without weighing my words and realizing my responsibility did I say that the opportunity here offered you to make a great deal of money at the expense of very little and to be in the meantime secure from loss is such that seldom occurs to the most fortunate investor."

"You can buy to-day two shares for the same money that will cost you next month. Each division comprises a million shares."

"And I have good reason to know that the first million will not last long, that all but about 100,000 shares have been bought up in one week by a score or more of my friends who happened to hear of the flotation."

Another circular would-be investors that they were being "let in on the ground floor" and that the "floor was firm and would not cave in."

It was said yesterday that the government had difficulty in preparing the case because the books of several of the companies were taken to Canada and it was impossible to get them before the Grand Jury.

President Taft said he could not hold up the matter indefinitely, but he would wait a day or two.

WILL SUPPORT ROOSEVELT

Progressive republican leaders in New Jersey will probably place Colonel Roosevelt's name on the Presidential primary ballots without asking his permission, according to a statement made in Newark, N. J., last night by Everett Colby, a member of the State Progressive League and progressive republican candidate at United States Senator.

ASK MR. CARNEGIE TO STEEL INQUIRY

Invited To Be Witness at Washington Wednesday and Tell About Sale of Interests.

HERALD BUREAU, No. 1502 H STREET, N. W., Washington, D. C., Friday.

A telegram was sent to Andrew Carnegie to-day by Representative A. O. Stanley, requesting him to testify before the Steel Investigating Committee Wednesday. Up until a late hour to-night no reply had been received from the "Ironmaster," who is in New York.

Mr. Carnegie assured the committee last summer he would willingly attend any time this winter he was needed, so the committee believes that he will be on hand Wednesday.

It is expected it will require several days for the committee to hear everything it wants from Mr. Carnegie. He will be asked particularly about the transaction by which he turned the Carnegie Steel Company into the United States Steel Corporation at a figure alleged to be greatly in excess of its actual value.

The House Committee on Accounts decided to-day in favor of allowing the Stanley committee \$30,000 to continue its inquiry. Up to date it has spent \$25,000, mostly for salaries of employees and expenses of investigators and witnesses. The House will have to pass on this additional expenditure.

RECOVERS LOST DOG THROUGH THE HERALD

Mr. Nathan Straus Used Lost and Found Column When German Terrier Wandered Away.

A German ball terrier which Mr. Nathan Straus purchased while in Heidelberg recently, wandered away from a member of the family at Eighth avenue and Seventy-second street on Tuesday morning. When the dog was told of the loss of the dog he caused the following advertisement to be inserted in the HERALD lost and found column:—

LOST—German Ball Terrier, Thursday morning, at 73d st. and 8th av. white with black markings on face and light tan docked tail. "Nathan Straus, Heidelberg," on name plate of collar. \$10 reward if returned to 27 West 73d st. city.

Soon after Mr. Straus left his home, at No. 27 West Seventy-second street, yesterday morning, a man appeared at the door with the missing dog. When the maid who answered the bell handed the man the advertised reward he explained:—"I found him wandering about in Riverside Drive last night. I didn't read the name on the collar or I would have returned him sooner."

Mr. Adler's cries attracted the attention of Fireman Harry Mapp, of Engine Company 35, which was returning from a false alarm. The flames were quickly extinguished, and Dr. Pratt, called from the Harlem Hospital, said the woman was dead.

LINDSAY HEIR STILL MISSING.

No Trace of Boy and Mother Member of Sun Worshipers' Cult.

[SPECIAL DESPATCH TO THE HERALD.] CHICAGO, Ill., Friday.—William Lindsay, the twelve-year-old heir to a Philadelphia estate, who failed to appear in Juvenile Court yesterday when Judge Pinckney was to decide the question of his custody, is now out of the country, according to the belief expressed here to-day. His mother, who is a member of the Mazzanana Sun Worshipers' cult, died with him.

The boy is depended upon for testimony which would make it possible for Judge Pinckney to decide whether he is to be permitted to remain with his mother, the "Valdian" of the "Sun Gazer."

It is reported that the boy has been taken to Canada and is being secreted there until he can be taken to South America by his mother and Karlus Heise, an alleged follower of Dr. Heise, head of the strange organization.

The Sunday Evening Telegram

To-morrow's Sunday Evening Telegram (two cents) will have all the cable news, full local reports, telegraphic matter and everything doing in sports, besides several big special articles, a woman's page and comic features.

The only Sunday Evening Paper in New York.

JEALOUS WHEN HE SHOT WIFE, HE SAYS

After Fatally Wounding Her, Boarding House Keeper Sent Bullet Into His Own Heart.

HER HEAD CRUSHED, BED SET ON FIRE

Mrs. Nina Goffe, Widow, Is Found Dying by Her Son After Attack.

JANITOR IS ARRESTED

Angry Mob Threatens Man Whom Victim's Child Says He Saw Leaving Scene of Crime.

In a fit of jealousy, William Hafner, the proprietor of a fashionable boarding house at No. 107 West Seventy-fourth street, shot and killed his wife, Mrs. Stella Hafner, yesterday afternoon, and then turned the pistol on himself, inflicting a wound in his left breast that precluded any possibility of his recovery, according to the physicians in Flower Hospital last night.

The dead woman's eyes had been blackened, and it was evident from the condition of the room that there had been a struggle. Mrs. Hafner's clothes were partly torn off and her hair was disarranged.

After the shooting the police say Mr. Hafner made a statement in Flower Hospital in which he admitted he had shot his wife, but declared that it was in a fit of jealousy caused by some information which he had received recently.

Norah O'Grady, a maid in the house, said that Mr. and Mrs. Hafner were apparently happy at breakfast and that later Mrs. Hafner gave her some instructions as to her household duties. She declared that about noon she heard the shots in the parlor on the first floor, where the proprietor lived with his wife, and that she, being afraid to go down alone, had induced Mrs. Annie Fulmiller to accompany her. Mrs. Fulmiller is a boarder in the house.

"I saw Mrs. Hafner lying in the corner," said the maid, "and Mr. Hafner had fallen across a chair. I ran to a window and screamed for help. Then I rushed across the street and got Dr. Harry G. Harris. I have been employed in this house only two months, coming here when Mr. Hafner bought the house. In that time I have never heard the couple quarrel. No one has ever come to the house to see Mrs. Hafner."

Mrs. Fulmiller declared that when she entered the room Mr. Hafner had said that his wife had shot him first, but that later he admitted he had shot her. An ambulance from Flower Hospital arrived, but the woman died as she was being removed from the house. Mr. Hafner was hurried to Flower Hospital.

A short time after the shooting a man came to the house and said he was acquainted with Mr. Hafner, but that he did not know he was married. He asserted that he had heard of the man's wife. He refused to give his name to the police.

Mrs. Hafner was a very pretty woman, about twenty-eight years old, with masses of black hair. No clew could be obtained as to her identity before the couple took to the boarding house in West Seventy-fourth street, two months ago. It was said that her mother lived uptown, but the police visited several addresses and were unable to locate the woman.

DIVORCEE, 49, IS BRIDE OF BOY, 19

Young Farm Hand Sells His First Pig to Obtain Money to Marry.

DR. DOTY WILLING TO AID SUCCESSOR

Issues Statement That He Does Not Wish to Reopen Controversy, but Attacks Testimony.

Dr. A. H. Doty, Health Officer of the Port of New York, who has been asked by Governor Dix to resign because of the unfavorable report on his administration by Commissioner Bugar, gave a statement yesterday through his attorneys, O'Gorman, Battle & Marshall.

Among other things Dr. Doty said he had informed the Governor that in his opinion the conclusions drawn by Commissioner Bugar were not sustained by the testimony, but rather disproved. Still he had no intention of reopening the controversy, and he would welcome his successor and aid him in any way possible if he so desired.

ARRANGING FOR STANDEES.

Committee Appointed to Control New Conditions in 133 Theatres of the City.

At a conference between Fire Commissioner Johnson and the representative of 133 theatres in New York city, yesterday at fire headquarters, a committee consisting of Mr. Percy Williams and Mr. Marcus Lowe, for the Theatre Managers' Association, and Mr. Lawrence, Commissioner Johnson and Deputy Fire Chief Kenelon, Howe and Guerin, was appointed to frame rules for the guidance of the theatres in observing the new law permitting persons to stand at performances. This committee will establish rules which all of the managers, by unanimous vote yesterday promise to observe.

Woman Dies from Grief.

According to her friends, Mrs. Clementine Gilbert, of No. 14 West 100th street, who sank to the floor lifeless yesterday afternoon in the grocery store of Henrietta Bohrens, at No. 31 West 100th street, died from a broken heart. She was a widow, and resided since her son, Paul, twenty-six years old, went to Naples, Italy, three months ago, to complete his education in architecture.

Woman Acquainted of Murder Charge.

Margaret Flynn, who has been on trial in the Court of General Sessions on a charge of murder in the first degree, was acquitted yesterday. It was charged she shot James McInerney during a fight on August 23 last. She entered a plea of self-defence.

BOY, 10, SAVES TWO IN LAKE.

Crawls Over Thin Ice Carrying a Rope to Brother and Girl Companion.

[SPECIAL DESPATCH TO THE HERALD.] PHILADELPHIA, Pa., Friday.—With the thin ice bending perilously beneath his weight, as he crawled cautiously across the surface, Willard Barton, ten years old, saved his brother Herbert, fourteen years old, and Emily Clement, the same age, from drowning in Clement Lake, Clement, N. J.

The children had broken through while skating. For half an hour they held to the edge of the ice, while planks were put upon the surface, only to break through when weight was placed upon them. Finally Willard got a rope and, crawling over the ice, reached his brother and the girl and they were dragged to safety.

One hundred men watched the boy's work.

DRY GOODS, & C.

PONY COATS \$18.00

MADE FROM GENUINE RUSSIAN PONY SKINS, 52 INCHES LONG; LINED WITH SKINNER'S GUARANTEED SATIN; LARGE ROLLING COLLAR.

Fur Coats at Half Price

BLACK MOIRE PONY COAT, 52 inches, \$22.50

NATURAL PONY COAT, 52 inches, \$40.00

MARMOT (Russian Mink) COAT, 52 inches, \$95.00

NEAR SEAL COAT, 52 inches, \$50.00

HUSON SEAL COAT, 52 inches, \$100.00

BLENDED SQUIRREL COAT, 52 inches, \$85.00

Matched Fur Sets at Half Price

NATURAL RACCOON SET, \$19.25

NATURAL GREY FOX SET, \$17.00

NATURAL RED FOX SET, \$10.00

NATURAL CROSS FOX SET, \$76.00

BLACK FOX SET, \$24.50

A LARGE WHOLESALE FURRIER IS CLOSING OUT BALANCE OF HIS STOCK AT PRICES LESS THAN COST. FULL GUARANTEE FOR QUALITY AND VALUE. 11 WEST 30 ST. (TAKE ELEVATOR TO 5TH FLOOR)

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